

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

BRANNON I. RANDALL,)
v.)
Plaintiff,)
)
v.) Case No. 3:23-cv-02206-SPM
SHERIFF SHANNON BRADLEY,)
Defendant.)

DEFENDANT'S MOTION TO WITHDRAW AFFIRMATIVE DEFENSE

Defendant Shannon Bradley, by and through his attorneys, IFMK Law, Ltd., hereby moves this honorable Court to withdraw the affirmative defense of failure to exhaust administrative remedies. In support thereof:

1. In answering Plaintiff's Complaint, Defendant raised an affirmative defense of failure to exhaust administrative remedies as required by the Prison Litigation Reform Act.

2. Pursuant to this Court's scheduling order, Defendant was required to file a motion for summary judgment on the issue of exhaustion of administrative remedies by August 19, 2024, or move to withdraw the affirmative defense if he does not wish to pursue the affirmative defense.

3. Defendant has determined that he does not wish to pursue this affirmative defense, and is hereby notifying the Court that he will not be filing a motion for summary judgment based on failure to exhaust administrative remedies.

4. Thus, Defendant requests to withdraw his affirmative defense based on exhaustion of administrative remedies.

For these reasons, Defendant requests this Court to grant his motion and withdraw the affirmative defense of failure to exhaust administrative remedies.

Respectfully submitted,

SHANNON BRADLEY

By: *s/Kyle R. Moore*

Bhairav Radia, #6293600

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CERTIFICATE OF SERVICE

I certify that on August 21, 2024, I caused the foregoing, ***Defendant's Motion to Withdraw Affirmative Defense*** to be electronically filed with the Clerk of Court using the CM/ECF system, which will send notification to the following registered participant(s):

None

And I hereby further certify that on the same date, I caused a copy to be mailed by U.S. postal service by having same placed in a sealed envelope with proper postage in the U.S. Mail receptacle located at 650 Dundee Road, Northbrook, Illinois, and addressed to the following:

Brannon Randall, #B29436
Southwestern Illinois Correctional Center
950 North Kingshighway
P.O. Box 129
East St. Louis, IL 62203

By: *s/Kyle R. Moore*
Kyle R. Moore #6346862